

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

CRAIG CUNNINGHAM

v.

WATTS GUERRA, LLP; et al.

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§

CIVIL ACTION NO. 5:22-cv-363-OLG

**AFFIDAVIT OF KARI ARCHER**

STATE OF TEXAS           \*  
                                  \*  
COUNTY OF HARRIS    \*

I, Kari Archer, being duly being sworn on oath, depose, state, and declare as follows:

1. I am over 18 years of age, and I am of sound mind and capable of making this affidavit. I have personal knowledge of the facts stated in this affidavit and affirm that they are true and correct.
2. I am the Lead Coordinator for the Mass Torts office of Watts Guerra.<sup>1</sup>
3. As Lead Coordinator for the Mass Torts office of Watts Guerra, I report directly to attorney Alicia O'Neill.
4. As Lead Coordinator, I am responsible for supervising and training coordinators and case managers within the Mass Tort Office for Watts Guerra. My duties include, but are not limited to: monitoring and training, holding regular management meetings, developing processes and procedures, auditing cases within the mass tort database and bulk processing and importing data.
5. This Affidavit is submitted in support of Defendants' Motion for Summary Judgment.

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<sup>1</sup> For purposes of this Affidavit, "Watts Guerra" means Watts Guerra LLP and all of its offices and affiliates.

6. Watts Guerra represents thousands of clients in claims and litigation against the manufacturers of Zantac (brand name of the generic drug ranitidine) for knowingly concealing and marketing this dangerous, cancer-causing drug for over 30 years.

7. As Lead Coordinator for the Mass Torts office of Watts Guerra, under the direction of Alicia O'Neill and in response to Plaintiff's claims, I searched the firm's databases and email server and did not locate any contracts sent to or received from Berken Media, LLC, Robert Kenyon, gurusagent.com, Consumer Case Helpline, Susana Valenzuela, and/or Ana Gutierrez.

8. As Lead Coordinator for the Mass Torts office of Watts Guerra, under the direction of Alicia O'Neill and in response to Plaintiff's claims, I searched the firm's databases and email server and other than a "Cease and Desist" letter sent by Ms. O'Neill I did not locate any communication sent to or received from Berken Media, LLC, Robert Kenyon, gurusagent.com, Consumer Case Helpline, Susana Valenzuela, and/or Ana Gutierrez.

9. The Cease and Desist communication sent by Ms. O'Neill is attached hereto as exhibit "G," and is a copy of the correspondence and/or electronic communication (hereinafter referred to as "record") which is kept and maintained in Watts Guerra's electronic files in the regular course of business, and it was in the regular course of business of Watts Guerra for me, as an employee and Lead Coordinator for the Mass Torts office of Watts Guerra with knowledge of the legal services provided, to search the databases and email server, to obtain the record to be included and/or referenced in Defendants' Motion for Summary Judgment. One (1) page is attached hereto and incorporated by reference as if fully set forth herein. The record was made in the regular course of business at or near the time or reasonably soon after the time the record was created and/or transmitted. The record is the original or an exact duplicate of the original.

10. As Lead Coordinator for the Mass Torts office of Watts Guerra, under the direction

of Alicia O'Neill and in response to Plaintiff's claims, I searched the firm's databases and email server for active, rejected and/or potential clients named and identified in Plaintiff's Original Complaint, and did not locate any contracts or communication set to or received from Craig Cunningham, Bonnie Deeraffenreid, and/or Patricia Massendale.

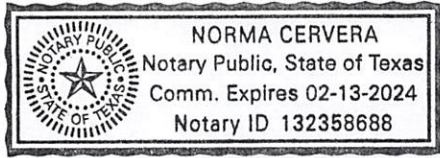
11. As Lead Coordinator for the Mass Torts office of Watts Guerra, under the direction of Alicia O'Neill and in response to Plaintiff's claims, I searched the firm's databases and email server and located records indicating that (other than Ms. O'Neill's calls to Mr. Cunningham regarding this lawsuit) no robocalls, autodialers, or any form of telephonic communication were ever set or used to attempt any contact or communication with individuals identified as: Craig Cunningham, Bonnie Deeraffenreid, and/or Patricia Massendale.


12. As Lead Coordinator for the Mass Torts office of Watts Guerra, I can confirm that the firm uses a specific email address (which is confidential and proprietary information) for case intake and communication purposes for all mass torts, including but not limited to Zantac claims. I conducted a thorough search of the inbox for that email address and did not locate any contracts and/or communication sent to or received from Berken Media, LLC, Robert Kenyon, gurusagent.com, Consumer Case Helpline, Susana Valenzuela, Ana Gutierrez, Craig Cunningham, Bonnie Deeraffenreid, and/or Patricia Massendale related to the claims made in Plaintiff's Original Complaint or any tort handled by Watts Guerra LLP.

13. Watts Guerra has no relationship with Berken Media, LLC, Robert Kenyon, gurusagent.com, Consumer Case Helpline, Susana Valenzuela, and/or Ana Gutierrez.

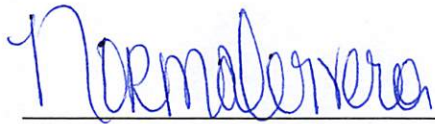
Further, Affiant saith naught.

Dated this \_\_\_\_ day of June 2022.



  
\_\_\_\_\_  
Kari Archer

Subscribed and sworn to before  
me this 14<sup>th</sup> day of June 2022.



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Notary Public – Texas  
My Commission Expires: 02-13-2024